

## REMARKS

This paper responds to the Final Office Action dated January 30, 2006 and the Appeal Board Decision dated April 17, 2008.

Claims 1, 5, 8, 15, 19, 26, 30, 37, 45, and 49 are amended, claims 14 and 54 are canceled; as a result, claims 1-13, 15-41, 45-53, and 55-57 are now pending in this application.

### *Appeal Decision*

The Decision on Appeal dated April 17 indicated that the Final Office Action erred in rejecting claims 14 and 54-57 under 35 U.S.C. § 102(b) in view of Cowles (U.S. 5,940,315). Independent claims 1, 5, 8, 15, 19, 26, 30, 37, and 45 are amended to include elements found in claim 14. Independent claim 49 is amended to include elements of dependent claim 54. Consequently claims 14 and 54 are canceled.

In view of the amendments to the claims, Applicant believes that all pending claims are in allowable form. Accordingly, Applicant respectfully requests allowance of the claims.

### *§102 Rejection of the Claims*

Claims 1-41, 45-57 were rejected under 35 U.S.C. § 102(b) for anticipation by Cowles (U.S. 5,940,315). Applicant amended claims 1, 5, 8, 15, 19, 26, 30, 37, 45, and 49 to overcome the rejection. Applicant respectfully traverses the rejection in view of the present claims.

#### *Regarding claims 1-13, 15-41, 45-53:*

As set forth above, the Decision on Appeal dated April 17 indicated that the Final Office Action erred in rejecting claims 14 and 54 under 35 U.S.C. § 102(b) in view of Cowles (U.S. 5,940,315). Independent claims 1, 5, 8, 15, 19, 26, 30, 37, and 45 are amended to include elements of claim 14, and independent claim 49 is amended to include elements of dependent claim 54. Applicant believes that the amendments place claims 1-13, 15-41, 45-53 in condition for allowance.

#### *Regarding claims 55-57:*

The Decision on Appeal indicated that the Office Action erred in rejecting claims 55-57.

Accordingly, Applicant respectfully requests reconsideration of the rejection and allowance of claims 1-13, 15-41, 45-53, and 55-57.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 349-9587

By \_\_\_\_\_

Timothy B. Clise

Reg. No. 40,957

Date 2 May '08

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of May 2008.

Name

Amy Moriarty

Signature

J. J.